

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.24547 OF 2005

Date:18.11.2005

Between:

A.P.Genco Diploma Engineers Association

... Petitioner

AND

The Managing Director and another

... Respondents

ORDER:

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The petitioner is an association of A.P. Genco. Diploma Engineers. It made a representation, dated 22.08.2005, to the respondents with a prayer that the Sub-Engineers be issued orders of posting as A.A.Es, by promotion, before such orders are issued to the Direct Recruits of similar category. It was stated that according to the Rules in vogue, a ratio of 3:2 is required to be maintained between the Graduate Engineers and Diploma Engineers on the one hand and Direct Recruits on the other.

The petitioner states that it would take quite some time in the matter of verification of the antecedents and imparting training to the Direct Recruits, whereas the Promotees are well versed with the work and procedure of the department. Instances of such out of turn promotion or posting are cited from other departments. The petitioner seeks a direction to the respondents to consider the representation.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

The manner, in which the appointments and promotions to various posts are to be made, is governed by the service regulations. It is not in dispute that a ratio is required to be maintained between the Promotees and the Direct Recruits. In the matter of appointment to the post of A.A.Es., neither the petitioner is entitled to seek any distortion of the same nor the respondents can be permitted to deviate from the settled principle. If the petitioner is denied any rights, which accrued to it under the relevant Service Rules, it can, certainly, complain as and when such occasion arises. This Court is not inclined to grant any relief to the petitioner for the reason that the representation said to have been made by it does not refer to any specific Rule nor compliance, or infraction of the same.

Hence, the writ petition is dismissed. It is, however, made clear that in case the members of the petitioner association are not extended the benefit as per the relevant Rules, it shall always be open to them to canvass before the appropriate authority.

18.11.2005

kdl